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DAVE LANG  
CLERK CIRCUIT COURT  
LEON COUNTY, FLORIDA

IN THE SECOND JUDICIAL CIRCUIT  
OF FLORIDA

OFFICE OF THE CHIEF JUDGE

ADMINISTRATIVE ORDER NO 95-5

IN RE. Public Guardian Office,  
Second Judicial Circuit

WHEREAS: The Second Judicial Circuit has implemented a  
Public Guardianship Program; and

WHEREAS: Florida Statutes, Sections 744.701-744.709  
inclusive, sets forth provisions of the "Public  
Guardianship Act", and

WHEREAS There is a need to develop policies of  
efficiently implement the provisions of the "Public  
Guardianship Act" in the Second Judicial Circuit, IT IS  
THEREFORE

ORDERED that:

The following provisions are hereby enacted to provide  
policy direction to the Public Guardian in the Second  
Judicial Circuit:

I. EXEMPTION FROM EDUCATIONAL REQUIREMENTS

A That Hugh T. Handley, Public Guardian, Second  
Judicial Circuit of Florida, shall be exempted from the  
educational requirements pursuant to Florida Law. This  
exemption is limited solely to cases in which he is  
appointed guardian in his capacity as Public Guardian.  
In the event the above-named guardian shall seek  
appointment to guardianship estates other than as Public  
Guardian, this Order shall be of no force and effect

B This exemption shall be comprehensive in nature due  
to the guardian's extensive experience and education in  
the administration of guardianship estates. The various  
Clerks of Court are hereby directed to file a copy of  
this Order in every guardianship estate in which the  
above referenced guardian currently serves



II DESIGNATED DEPOSITORY

The Public Guardian of the Second Judicial Circuit is authorized to maintain checking and savings accounts for the deposit and disbursement of wards' funds at depositories of his selection with the following provisions

A Signatures Authorized

1. Any check under the sum of \$500.00 (Five Hundred and no/100 Dollars), Hugh T. Handley or any person who is an employee of the Public Guardian office and who is designated by the Chief Judge of the Circuit

2. Any check of \$500.00 (Five Hundred and no/100 Dollars) up to \$1,000.00 (One Thousand and no/100 Dollars), Hugh T. Handley only

3. Any check of \$1,000.00 (One Thousand and no/100 Dollars) or over, Chief Judge, Second Judicial Circuit, Florida.

4. The authorized signatures as set forth herein may be changed by the Chief Judge of this Circuit or his successor in office by letter to the depository in question

5. No check made payable to any person whose signature is authorized herein shall be honored by the designated depository

III SURETY BOND

A. The Public Guardian of the Second Judicial Circuit, shall cause the surety bond currently in full force and effect with surety as prescribed in Section 45.011, Florida Statutes, approved by the Clerk of Leon County, Florida, conditioned on the faithful performance of all duties of said Public Guardian and joint and several in nature and payable to the Governor of the State of Florida and his successors in office, to be increased or decreased to an amount not less than \$10,000.00 nor more than \$50,000.00 in excess of the aggregate cash deposits of wards' funds deposited in account over which the Public Guardian exercises control

B. The Public Guardian shall certify monthly to the Chief Judge of the Circuit the total balance of wards' funds over which he exercises control. Any increase or decrease in the amount of the surety bond shall be reported to the Clerk of Leon County, Florida for inclusion with the surety bond on file

#### IV. METHOD OF SERVICE

The Public Guardian or his representative may serve all documents required to be served on his ward and capable of being served by mail or hand delivery to be served by delivery of a copy of the document by hand delivery and authorizing the Public Guardian or his representative to retrieve the document for safekeeping in the event the ward cannot or will not respond to the service

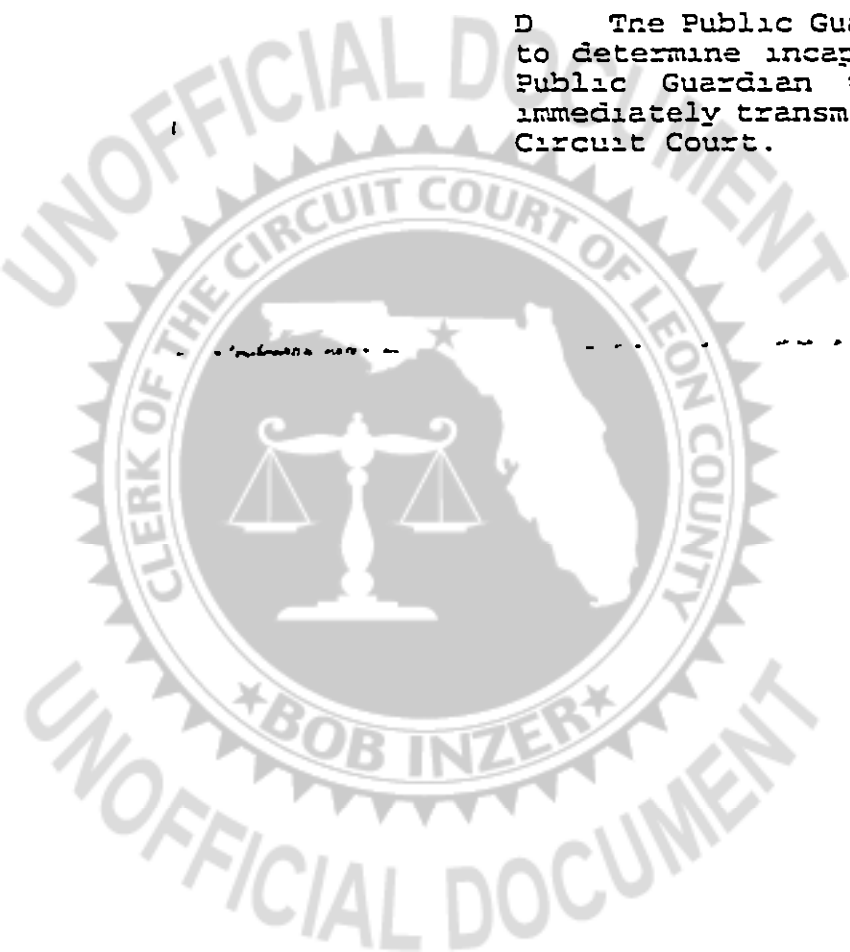
#### V. PROCEDURES FOR REQUESTING THE APPOINTMENT OF THE PUBLIC GUARDIAN IN INCAPACITY PROCEEDINGS

A The Public Guardian shall prepare for dissemination a memorandum or letter explaining the contents of this Administrative Order and establishing the Office of the Public Guardian as the source of forms and documents implementing the procedures set forth herein.

B The Public Guardian shall maintain form petitions to determine incapacity and affidavits approved by the Chief Judge of the Circuit, for distribution to any person wishing to be a petitioner and requesting the appointment of the Public Guardian. The petition to determine incapacity shall include an allegation that the person to be examined is entitled to the services of the Public Guardian and that the appointment of the Public Guardian is requested in the event that the Court finds the person to be incapacitated. The affidavit shall be sufficient in form and context for the Court to determine that the person to be examined is indigent within the definition as set forth in Florida Statutes 744.704, that there is no other person to act as guardian and that the petitioner has no monetary interest, either directly or indirectly in the alleged incapacitated's affairs, and for the Court to ascertain to what extent alternative to guardianship have been explored concerning the person who is thought to be incapacitated. The affidavit shall be attached as an exhibit to the Petition.

C Any person, meeting the requirements of Florida law, who wishes to file a petition for the determination of incapacity of a person alleged to be indigent and requesting the appointment of the Public Guardian may do so by presenting, the petition and affidavit provided for herein, to the Public Guardian.

D The Public Guardian, upon the receipt of a petition to determine incapacity and for the appointment of the Public Guardian together with the affidavit, shall immediately transmit the same to the Probate Judge of the Circuit Court.

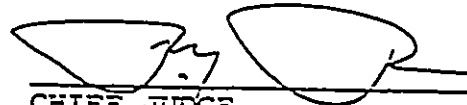


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E. The Court shall enter such Orders as it deems necessary based upon the petition and accompanying affidavit, defining petitioner's right to proceed in proper, directing the Public Guardian and providing for the filing and presentation of the petition to the Court

VI. Administrative Order 90-10, IN RE. Public Guardianship Office, Second Judicial Circuit, dated February 9, 1990, as amended is hereby terminated

DONE AND ORDERED in Chambers at the Leon County Courthouse, this 11 day of April, 1995.

  
CHIEF JUDGE

